

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHARMANE SMITH,

Plaintiff,

-against-

VIACOM CBS, INC.; NATIONAL  
AMUSEMENTS, INC.,

Defendants.

20-CV-9929 (CM)

ORDER OF DISMISSAL  
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

On December 2, 2016, Plaintiff was barred from filing any new action *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Smith v. Chase Bank*, ECF 1:11-CV-2270, 8 (S.D.N.Y. Dec. 2, 2016). Plaintiff files this new *pro se* case, seeks IFP status, but has not sought leave from the Court. The Court therefore dismisses this action without prejudice for Plaintiff's failure to comply with the December 2, 2016 order.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: December 1, 2020  
New York, New York



COLLEEN McMAHON  
Chief United States District Judge